ANNUAL REPORT 1984-85

THE MANITOBA FARM LANDS OWNERSHIP BOARD

Manitoba
Agriculture

86-04245/

MANITOBA
DEPARTMENT OF AGRICULTURE

FARM LANDS OWNERSHIP BOARD
805 - 401 York Avenue
Winnipeg, Manitoba R3C OP8

October 7, 1985

The Honourable Bill Uruski
Minister of Agriculture
165 Legislative Building
Winnipeg, Manitoba
R3C OV8

Dear Mr. Uruski:

I have the honour to submit The Annual Report of The Manitoba Farm Lands Ownership Board for the period September 26, 1984, to March 31st, 1985.

Respectfully submitted,

Marion McNabb

Marion McNabb, Chairman
THE MANITOBA FARM LANDS OWNERSHIP BOARD

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ANNUAL REPORT OF THE MANITOBA FARM LANDS OWNERSHIP BOARD FOR THE YEAR 1984/85

The Manitoba Farm Lands Ownership Board is a quasi-judicial and administrative body established under 6(1) of The Farm Lands Ownership Act. The Board is responsible for the administration and enforcement of The Farm Lands Ownership Act as well as certain additional duties and powers as specified in the Legislation.

BOARD MEMBERS

Marion McNabb, Chairman	-	Minnedosa, Manitoba
Walter Kolisnyk, Member	-	Renwer, Manitoba
Pierre Lambert, Member	-	Winnipeg, Manitoba
Clark Robson, Member	-	Deleau, Manitoba

ADMINISTRATION

Richard Loeb, Executive Director
J. F. Redgwell, Solicitor, Department of Attorney General

STAFF

H. Dale Osborne, Investigations Officer
Pat Philopoulos, Administrative Assistant
Dorothy Nowicki, Clerk

GENERAL

The Farm Lands Ownership Act was passed by the Legislature in 1983, and Proclaimed September 26, 1984.

The administration of the Act involves the Board and Administrative staff in all areas related to the acquiring of an interest in farm land in Manitoba.

Certain categories of persons can acquire or hold an interest in Manitoba farm land without restriction or limitation. These include: (a) a resident, (b) a family-farm corporation (as defined in the Act), (c) a Municipality, (d) a Local Government District; or (e) an agency of the Government. The Act is not retroactive.

Non residents can acquire Manitoba farm land if it is bequeathed to them by a Manitoba resident, a retired farmer, or his spouse.

A retired farmer or his spouse or an active farmer who has farmed for at least ten years, may also transfer land to certain immediate relatives, although these may be non residents.

BOARD ACTIVITIES

Under 3(3) of the Act, The Manitoba Farm Lands Ownership Board has the authority to exempt individuals, corporations, farm land or interest in farm land from any provisions of the Legislation. The Board met four times between September 26, 1984, and March 31, 1985, to consider applications for exemptions.

Of seventy-eight applications considered, seventy-two exemptions were granted, while six applications were denied.

The largest category of approvals was in regard to persons who had had an interest in Manitoba farm land prior to the Proclamation of the Act (26). Fourteen approvals were granted to Holding Companies held by farm families and communal owners, as well as twelve approvals to persons who have made a committment to become Manitoba residents.

Three approvals were granted to allow transfers to non residents, in order to permit settling of estates, etc.

Exemptions were also approved in the following categories: Persons farming within 10 miles of the Manitoba border (2), Realization of security (2), Non-profit organizations (2), In the public interest (2), Sand and gravel operations (2), Exchanges of land (2), Former railroad right-of-way to non-residents (2) Land intended for subdivision purposes (2) Error by law firms (1).

Following the Proclamation of The Farm Lands Ownership Act, the 1984/85 year was a demanding one for the Board and staff. Administration availed itself of opportunities to inform the public of the provisions of the Legislation. This was done by using the electronic and print media, as well as by attendance at farm organization and/or group meetings.

Numerous inquiries from individuals, law, and real estate firms seeking information and assistance on the Legislation were dealt with by the office.

Under the Real Property Act and Registry Act, Transfers of land, Mortgages, Caveats, etc. tendered for registration must be accompanied by a statutory declaration stating certain information pertinent to the transaction. The statutory declarations are forwarded to the Board office for perusal and examination. In the period October 1, 1984 to March 31, 1985, the office received and processed 2,403 statutory declarations.

The Board office supplies data for statistical purposes to the Economic Analysis Section. The change to a new data base necessitated the adoption of a revised computer input format. This created some problems in the period under review which resulted in a delay in obtaining statistical information from this source.

SUMMARY

It is anticipated that problems associated with the administration of the Act will continue to decline as the public, Board and staff, become more familiar with the Legislation.

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Sept.17/85